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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 KYMBERLY A. BLACK,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of
Social Security,

12 Defendant.

Case No. C11-1695-TSZ-BAT

REPORT AND
RECOMMENDATION

Kymberly A. Black seeks review of the denial of her Supplemental Security Income and Disability Insurance Benefits applications. Dkt. 3. The parties stipulate the case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 21.

The Court has considered the parties' stipulation and the record and recommends the case be **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g), for further administrative proceedings. On remand, the Administrative Law Judge shall:

- (1) further consider all of plaintiff's mental impairments and whether they are severe either singly or in combination with any of her medically determinable impairments;

- (2) assist in the evaluation of the medical evidence utilizing the assistance of a medical expert in either psychology or psychiatry to consider the severity of her impairment;
 - (3) reconsider plaintiff's credibility in light of the expanded record;
 - (4) further analyze plaintiff's residual functional capacity pursuant to Social Security Ruling 96-8p, including what effect the combination of mental and physical impairments have on her ability to perform work related activities; and
 - (5) as plaintiff was precluded from performing any of her past relevant work by the findings of the ALJ, consult with a vocational expert to determine whether plaintiff can perform any other jobs existing in significant numbers in the national economy.

Plaintiff may present new arguments and evidence. The ALJ may perform further development and conduct further proceedings as necessary.

The parties agree that reasonable attorney fees should be awarded, upon proper application, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

Because the parties have stipulated that the case be remanded as set forth above, the Court recommends that United States District Judge Thomas S. Zilly immediately approve this Report and Recommendation and order the case **REVERSED** and **REMANDED** for further administrative proceedings. A proposed order accompanies this Report and Recommendation.

DATED this 28th day of February, 2012.


BRIAN A. TSUCHIDA
United States Magistrate Judge